



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE

Monterey Bay National Marine Sanctuary
299 Foam Street
Monterey, California 93940

Central Coast Regional Water Quality Control Board
895 Aerovista Place, Suite 101
San Luis Obispo, CA 93401
ATTN: Ms. Mary Adams

May 26, 2009

SUBJ: MONTEREY BAY NATIONAL MARINE SANCTUARY'S SUPPORT OF THE 2008 303(d) LIST

Dear Ms. Adams,

Please accept the following comments on behalf of the Monterey Bay National Marine Sanctuary (MBNMS) for the proposed 2008 list of impaired water bodies.

The MBNMS was designated by Congress in 1992 for the purpose of resource protection, research, education, and public use. The MBNMS encompasses over 5,000 square miles of marine waters and is home to an enormous diversity of fishes, birds, mammals and other species. A critical element to protection of these unique resources is ensuring that both fresh water and marine waters attain their beneficial uses.

For the last several years, the Sanctuary's Water Quality Protection Program has been working closely with the Central Coast Ambient Monitoring Program (CCAMP) to coordinate monitoring, data management, and water quality assessment efforts on the Central Coast. We are happy that much of that data was used in compiling this list of impaired waterways. We applaud your efforts to assess 345 water bodies including 77 beaches and 6 harbors. This resulted in 3700 fact sheets and 11,500 lines of evidence that describe water quality conditions and relative impairments of waters along the Central Coast. Approximately 500 of the 689 listings are new additions from the 2006 303(d) list.

With regard to the new additions, it is my understanding that these water bodies are not necessarily in worse condition than previous years. Rather, additional water quality data provided new information to support these listings. Because 70% of the listings occur in just four hydrologic units, we urge collaborative efforts to focus there. For example, the two major watersheds flowing into the sanctuary, the Pajaro River with 110 listings and the Salinas River with 168 listings make up approximately 1/3 of all listings in the Central Coast region.

Approximately 50 listings were delisted from the 2006 303(d) list as generic impairments (ie. nutrients, pesticides, pathogens, etc.) then re-listed on the 2008 list for more specific constituents such as nitrate, chlorpyrifos, *E. coli*, etc. In doing this, the proposed TMDL completion date was extended. While many of those dates have passed, we feel that if the water body was previously listed, the original TMDL completion date should be given priority. For example the



Tembladero Slough, which is one of the Central Coast's more polluted water bodies, was listed in 2006 for fecal coliform with a TMDL completion date of 2007; pesticides with a TMDL completion date of 2008 and nutrients with a completion date of 2006. In the proposed 2008 303(d) list, these completion dates have all been extended to 2013. It does not seem timely or efficient to delay much needed TMDL work in this problem waterbody.

Realizing the workload this entails for Water Board staff, we encourage the Watershed TMDL approach to maximize efficiency and effectiveness. We also encourage the Water Board to rely on partners in the pursuit of water quality improvements. It is our hope that once the 303(d) list is finalized, the course of action does not get bogged down in the lengthy TMDL process. While we realize it takes a considerable amount of time to establish TMDLs, much can be done by Regional Board staff and partnering organizations to address the water quality impairments. Nearly 60% of the listings identified agriculture as a source and 41% listed urban sources. There are many outstanding programs on the Central Coast that address both agriculture and urban sources of pollutants. Municipalities with Phase I and Phase II storm water permits should be engaged to more effectively control pollution flowing from hardscapes while promoting low impact development. Partners in the Agriculture Water Quality Alliance need to be supported in order to more quickly address these impaired water bodies on a watershed scale. For example, support of irrigation and nutrient management programs will greatly reduce nitrate concentrations, minimize the amount of runoff flowing from fields potentially carrying sediment and pesticides, as well as reducing the potential for eutrophication and diel crashes in dissolved oxygen.

We recognize and appreciate the tremendous effort the Central Coast Regional Board has undertaken. We must move forward to ensure that our collective efforts restore beneficial uses to Central Coast water bodies. One significant obstacle that we must continue to work together to overcome is that of on-farm co-management for food safety and water quality. Many growers face increasing pressure from auditors and buyers to remove vegetative practices as well as increasing poison in bait stations in the interest of food safety, without any scientific basis. The topic of food safety must become a top priority for the Regional Board. Without any scientific basis, many of the management measures installed to improve water quality have all been removed because of the Leafy Green Marketing agreement. The regulatory agencies should work with the buyers and auditors to find middle ground on this issue. Until then, it will be very difficult to establish healthy riparian habitat and water bodies that support beneficial uses in agricultural watersheds.

We support your efforts and we look forward to working with you to improve water quality on the Central Coast. If you have any questions or need clarification, please contact Bridget Hoover of my staff at (831) 647-4217.

Sincerely,

A handwritten signature in cursive script that reads "Paul Michel".

Paul Michel
Superintendent